

1 A Yes.
 2 Q So that wasn't a true statement?
 3 A My interpretation of that was that it was
 4 redirected. And several of these, there's
 5 been a little confusion of what redirected was
 6 and transferred. I took that to mean that it
 7 was redirected back to you.
 8 Q Is there a difference between redirecting --
 9 when you direct it, it just means, if a user's
 10 going to Supreme Greens.com, they get
 11 automatically transferred to somebody else's
 12 web site?
 13 A Yes.
 14 Q That's redirecting?
 15 A Yes.
 16 Q What is transfer?
 17 A Transfer in my eyes means that you transfer
 18 the ownership of it to someone else. It's
 19 being transferred to someone else and they
 20 would control it. Maybe it would be the
 21 ownership, maybe it would just be that they
 22 have control of the web site. By redirecting
 23 it it keeps me in control of the web site and

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1 A I believe I was making Internet sales.
 2 Q And do you know if those sales were coming
 3 from the Supreme Greens.com web site?
 4 A I'm not sure.
 5 Q Never transferred ownership of the domain name
 6 to ITV?
 7 A No, I did not.
 8 Q I asked you before about the
 9 FDA investigation. Tell me what you knew
 10 about that investigation.
 11 A The only thing I knew from Donald was that the
 12 FDA was investigating them for several days at
 13 that point and that they were investigating,
 14 according to Donald, the Supreme Greens.
 15 Q Did he tell you what was being investigated?
 16 A No.
 17 Q Did you get any communications from ITV about
 18 what it was about?
 19 A Just that it was about the Supreme Greens.
 20 Q What about the Supreme Greens, do you know?
 21 A I don't know. I don't recall any -- I don't
 22 recall any details about what specifically
 23 about the Supreme Greens it was.

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1 where it's pointed.
 2 Q Did you redirect the web site in February of
 3 2004 to ITV?
 4 A I'm not sure the dates that it was redirected
 5 back. It was redirected back and forth a
 6 couple of times.
 7 Q How would you find out?
 8 A I don't know.
 9 Q Is there any record through any Internet
 10 service that would show where it was being
 11 directed at any particular point in time?
 12 A I'm not sure.
 13 Q You have records of Internet sales or Internet
 14 orders that were made at Health Solutions?
 15 A I'm not sure whether we have the ability to
 16 break down a sale on the Internet versus a
 17 phone call that comes into the office. I
 18 believe -- I'm not absolutely certain, but I
 19 believe they kind of go into a pool of sales,
 20 and we don't track where it comes from
 21 specifically.
 22 Q Do you know whether you were continuing to
 23 make Internet sales in February of 2004?

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1 MR. BROOKS: Can I have that
 2 marked as my next exhibit, please.
 3 (Exhibit Number 28
 4 was marked for Identification)
 5 Q I have marked what appears to be an e-mail of
 6 February 13th, 2004, from Eileen Barrett to
 7 you, and it appears also to Mr. Guerrero.
 8 A Yes.
 9 Q Have you seen this before?
 10 A I have, yes.
 11 Q Do you believe this is the first time you were
 12 notified of the FDA investigation?
 13 A No.
 14 Q Do you recall when you were first notified of
 15 that investigation?
 16 A It was prior to this, and it was on a phone
 17 call from -- I don't recall whether I called
 18 Donald or Donald called me. It was a phone
 19 call that I had with Donald.
 20 Q And what did he say to you?
 21 A He said that the FDA had been there all week
 22 or all weekend, I don't recall, and that they
 23 were investigating the Supreme Greens.

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1 Q Do you recall having a conversation with Wayne
 2 Callahan?
 3 A Yes.
 4 Q Tell me what Mr. Callahan said to you.
 5 A I had several conversations with Mr. Callahan.
 6 Q Tell me the first one you had with him.
 7 A I believe that I contacted Mr. Callahan from
 8 direction -- Donald gave me the direction to
 9 call him in regards to payments that were
 10 behind.
 11 Q So what did you say to Mr. Callahan and what
 12 did he say to you concerning the
 13 FDA investigation?
 14 A In the very last phone conversation I had with
 15 Mr. Callahan Mr. Callahan had said ITV put a
 16 stop payment on the check and that somebody
 17 would contact me in the future.
 18 Q Did he say why a stop payment had issued?
 19 A Not that I recall.
 20 Q Was it because the FDA investigation that they
 21 were halting further payments?
 22 A I didn't know.
 23 Q In the e-mail of February 13th Eileen Barrett

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1 A Yes.
 2 Q In the e-mail Eileen Barrett is asking for the
 3 formulation on the Supreme Greens product?
 4 A Yes.
 5 Q Did you provide that to her?
 6 A No.
 7 Q Did Mr. Guerrero provide it to her?
 8 A No.
 9 Q Did Mike Howell provide it to her?
 10 A No.
 11 Q Did either of you provide it to the FDA?
 12 A No.
 13 Q Why not?
 14 A Because I didn't believe the FDA was
 15 requesting it.
 16 Q Why didn't you believe that?
 17 A Because I didn't have trust in ITV at that
 18 point. I thought that they could possibly
 19 want to remanufacture the product and have the
 20 formulation to do so based on different
 21 threats I've had from Donald that he was going
 22 to do that in the past.
 23 Q So you didn't believe that it was a genuine

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1 seems to be reflecting a conversation of that
 2 date with Wayne Callahan and you in which she
 3 said that all payments would be suspended
 4 pending the outcome of the FDA's inquiry.
 5 A I don't recall. Again, I don't remember the
 6 specifics of our conversation. As I recall
 7 it, it -- I remember it to be primarily all
 8 about money and the checks and how come my
 9 check wasn't being cleared and things of that
 10 nature.
 11 Q Did Mr. Callahan or anybody else at ITV tell
 12 you that these payments were being withheld
 13 because of the FDA inquiry?
 14 A This letter did.
 15 Q Prior to February 13th had you been informed
 16 that payments were being suspended because of
 17 the FDA inquiry?
 18 A I don't recall.
 19 (Exhibit Number 29
 20 was marked for Identification)
 21 Q I have marked what appears to be a copy of an
 22 e-mail sent on March 12th, 2004, to you,
 23 Mr. Guerrero, and Mike Howell?

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1 request of the FDA?
 2 A I did not.
 3 Q Did you call the FDA to ask them?
 4 A Yes.
 5 Q Who did you call?
 6 A I don't remember the specific person's name
 7 that I spoke to. I spoke to two or three
 8 people over there.
 9 Q And what did they tell you?
 10 A They said they couldn't share the details of
 11 the case -- of any case with me because the
 12 case wasn't against me, it was against
 13 whoever -- they wouldn't even confirm there
 14 was a case against ITV. And then they said
 15 they wouldn't request a formulation from a
 16 distributor of a manufacturer anyways.
 17 Q Okay. Did you respond to the e-mail in any
 18 fashion by saying, we're not going to do this
 19 or we don't believe your request is genuine?
 20 A I don't believe so.
 21 Q Just ignored it?
 22 A Yes.
 23 Q Do you recall at some point in time receiving